

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO
ALL CLASS ACTIONS

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT ON BEHALF
OF CLASSES 1 AND 2 AGAINST DEFENDANT ASTRAZENECA
BASED ON ITS GUILTY PLEA RELATED TO ZOLADEX**

Plaintiffs move this Court pursuant to Federal Rule of Civil Procedure 56 to enter an order granting partial summary judgment on behalf of Classes 1 and 2 in favor of Plaintiffs and against AstraZeneca Pharmaceuticals, LP ("AstraZeneca") on claims arising from AstraZeneca's conduct with respect to Zoladex which resulted in a criminal guilty plea entered into by AstraZeneca on June 20, 2003. The grounds for this motion are specified in the supporting memorandum, filed herewith under seal, and are further supported by the Declaration of Kenneth A. Wexler and accompanying exhibits, and Plaintiffs' Local Rule 56.1 Statement of Material Facts as to Which No Genuine Dispute Exists, also filed under seal.

DATED: March 15, 2006

By /s/ Kenneth A. Wexler

Kenneth A. Wexler
Jennifer Fountain Connolly
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, IL 60602
Telephone: (312) 346-2222
Facsimile: (312) 346-0022

**CO-LEAD COUNSEL FOR
PLAINTIFFS**

Thomas M. Sobol (BBO#471770)
Edward Notargiacomo (BBO#567636)
Hagens Berman Sobol Shapiro LLP
One Main Street, 4th Floor
Cambridge, MA 02142
Telephone: (617) 482-3700
Facsimile: (617) 482-3003

LIAISON COUNSEL

Steve W. Berman
Sean R. Matt
Hagens Berman Sobol Shapiro LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594

Elizabeth Fegan
Hagens Berman Sobol Shapiro LLP
60 W. Randolph Street, Suite 200
Chicago, IL 60601
Telephone: (312) 762-9235
Facsimile: (312) 762-9286

Eugene A. Spector
Jeffrey Kodroff
Spector, Roseman & Kodroff, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 496-0300
Facsimile: (215) 496-6611

Marc H. Edelson
Allan Hoffman
Edelson & Associates LLC
45 West Court Street
Doylestown, PA 18901
Telephone: (215) 230-8043
Facsimile: (215) 230-8735

Shanin Specter
Donald E. Haviland, Jr.
Kline & Specter, P.C.
1525 Locust Street, 19th Floor
Philadelphia, PA 19102
Facsimile: (215) 772-1359
Telephone: (215) 772-1000

**CO-LEAD COUNSEL FOR
PLAINTIFFS**

CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456

I, Kenneth A. Wexler, hereby certify that I am one of plaintiffs' attorneys and that, on March 15, 2006, I caused copies of *Plaintiffs' Motion for Partial Summary Judgment On Behalf Of Classes 1 And 2 Against Defendant Astrazeneca Based On Its Guilty Plea Related To Zoladex* to be served on all counsel of record by causing same to be posted electronic via Lexis-Nexis File & Serve.

By /s/Kenneth A. Wexler
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, IL 60602
Telephone: (312) 346-2222
Facsimile: (312) 346-0022